

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

CHARLES J. SMALLWOOD,

Plaintiff,

v.

SOCIAL SECURITY ADMINISTRATION,

Defendant.

Case No. 24-CIV-121-RAW-SPS

ORDER

On February 12, 2025, the United States Magistrate Judge Steven P. Shreder entered a Report and Recommendation recommending that the above-styled case be reversed and remanded for further proceedings [Docket No. 25]. The Defendant did not file an objection to the Magistrate Judge's Report and Recommendation. The Magistrate Judge found that correct legal standards were not applied by the Administrative Law Judge who failed to include in the RFC the opinions of Dr. Kelly and Dr. Crall regarding limitations, which he found to be entitled to partial weight. Further, the ALJ failed to comply with Social Security Ruling 96-8 and explain why the limitations opined by Dr. Kelly and Dr. Crall were not included. The Magistrate Judge found that the decision was therefore not supported by substantial evidence and recommends further analysis upon remand of the case.

Upon full consideration of the record and the issues herein, this court finds that the Magistrate Judge's recommendation to reverse and remand for further proceedings is well supported. Accordingly, the Report and Recommendation of the Magistrate Judge is hereby affirmed and adopted as this court's Findings and Order.

IT IS THEREFORE ORDERED that the decision of the Administrative Law Judge is

hereby **REVERSED** and this case is hereby **REMANDED** pursuant to the fourth sentence of 42 U.S.C. §405(g) for further administrative proceedings.

IT IS SO ORDERED this 4th day of March, 2025.

A handwritten signature in black ink, reading "Ronald A. White". The signature is written in a cursive, flowing style.

HONORABLE RONALD A. WHITE
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF OKLAHOMA